

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 0531162	FOR FURTHER ACTION <small>see Form PCT/ISA/220 as well as, where applicable, Item 5 below.</small>	
International application No. PCT/US2005/004491	International filing date (day/month/year) 09/02/2005	(Earliest) Priority Date (day/month/year) 09/03/2004
Applicant ATRICURE, INC.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☒ **Certain claims were found unsearchable** (See Box II).

3. ☐ **Unity of invention is lacking** (see Box III).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the **drawings**,

a. the figure of the **drawings** to be published with the abstract is Figure No. 1

☐ as suggested by the applicant.

☒ as selected by this Authority, because the applicant failed to suggest a figure.

☐ as selected by this Authority, because this figure better characterizes the invention.

b. ☐ none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US2005/004491

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A61B17/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 A61B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 522 788 A (KUZMAK ET AL) 4 June 1996 (1996-06-04) column 4, line 14 - line 18; figures 1-3 column 5, line 22 - line 27 column 5, line 56 - line 59 column 6, line 58 - line 62	1,3-8
Y		2,11,12
Y	US 2002/009275 A1 (WILLIAMS JEFFREY B ET AL) 24 January 2002 (2002-01-24) paragraph '0103!; figure 4b paragraph '0106!	2,11,12
A		1
X	US 5 928 138 A (KNIGHT ET AL) 27 July 1999 (1999-07-27) column 4, line 54 - line 67; figure 1	1,5,8
	-/--	

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

8 document member of the same patent family

Date of the actual completion of the international search

9 May 2005

Date of mailing of the international search report

24/05/2005

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Ducreau, F

INTERNATIONAL SEARCH REPORT

International Application No
PCT/US2005/004491

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 6 203 557 B1 (CHIN ALBERT K) 20 March 2001 (2001-03-20) column 1, line 19 - line 25 column 3, line 52 - line 60; figure 1 column 5, line 19 - line 22 -----	1,4,5,8
X	WO 95/10982 A (CORREA, MARCO, AURELIO, MOURA DE FARIA) 27 April 1995 (1995-04-27) abstract; figure -----	1,5,8
A	US 5 797 959 A (CASTRO ET AL) 25 August 1998 (1998-08-25) column 3, line 67 - column 4, line 9; figure 1 column 3, line 19 - line 24 column 7, line 45 - line 56; figures 14,15 -----	1,5-7

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2005/004491

Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 13-21
because they relate to subject matter not required to be searched by this Authority, namely:
Rule 39.1(iv) PCT - Method for treatment of the human or animal body by surgery
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

national Application No

PCT/US2005/004491

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 5522788	A	04-06-1996	NONE	
US 2002009275	A1	24-01-2002	US 2001001260 A1	17-05-2001
			US 6185356 B1	06-02-2001
			US 2002058931 A1	16-05-2002
			CA 2392985 A1	18-01-2003
			EP 1278007 A1	22-01-2003
			JP 2003162904 A	06-06-2003
			US 2003095781 A1	22-05-2003
			US 2002001202 A1	03-01-2002
			AU 8277798 A	25-01-1999
			EP 0993579 A1	19-04-2000
			JP 2002514127 T	14-05-2002
			WO 9901696 A1	14-01-1999
US 5928138	A	27-07-1999	US 5722934 A	03-03-1998
			US 5928135 A	27-07-1999
US 6203557	B1	20-03-2001	US 5968065 A	19-10-1999
			US 6264670 B1	24-07-2001
			US 5976168 A	02-11-1999
			US 6277137 B1	21-08-2001
			US 6506200 B1	14-01-2003
			US 5797946 A	25-08-1998
			US 5695514 A	09-12-1997
			US 5980549 A	09-11-1999
			US 6036714 A	14-03-2000
WO 9510982	A	27-04-1995	WO 9510982 A1	27-04-1995
US 5797959	A	25-08-1998	NONE	